

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE STATE STREET BANK AND TRUST	:	
CO. ERISA LITIGATION	:	
	:	No. 07 Civ. 8488 (RJH)
	:	ECF CASE
This document relates to:	:	
	:	
07 Civ. 8488 (<i>Prudential Retirement Insurance and</i>	:	
<i>Annuity Company v. State Street Bank and Trust</i>	:	
<i>Company and State Street Global Advisors, Inc.)</i>	:	
	:	
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MOTION FOR PARTIAL SUMMARY JUDGMENT
DISMISSING COUNTERCLAIMS

PLEASE TAKE NOTICE that, upon the accompanying (i) memorandum of law, (ii) declarations of George L. Palms, Jr., Robert F. Frasca, Matthew Dingee, Marshall E. Blume, Ph.D., and Jeremy N. Klatell and the exhibits thereto, (iii) portions of deposition transcripts and documents contained in Plaintiff's Appendix, (iv) statement of material facts not genuinely in dispute submitted pursuant to Local Civil Rule 56.1, and upon all prior pleadings and proceedings herein, the undersigned attorneys for plaintiff Prudential Retirement Insurance and Annuity Company, will hereby move this Court, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an order granting partial summary judgment dismissing in their entirety the counterclaims of defendant State

Street Bank and Trust Co., and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
June 2, 2010

DEBEVOISE & PLIMPTON LLP

By: /s/ Edwin G. Schallert
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